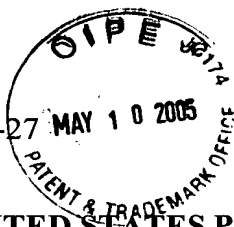


DOCKET NO. 9550-001-27



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Brooks EDWARDS, et al.

ART UNIT: 1641

SERIAL NO.: 10/046,730

EXAMINER: Mary Ceperley

FILING DATE: January 17, 2002

FOR: SOLID PHASES OPTIMIZED FOR CHEMILUMINESCENT DETECTION

**NOTICE OF APPEAL**

ASSISTANT COMMISSIONER FOR PATENTS

PO BOX 1450

ALEXANDRIA, VA 22313-1450

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated **December 10, 2004**.

The items checked below are appropriate:

■ A Request for Extension of Time Under 37 C.F.R. 1.136 was filed for one month.

■ A timely response to the final rejection was filed on April 11, 2005

■ A Request for Extension of Time for filing the Notice of Appeal is attached.

Fee: ■ \$500.00 (large entity) □ \$250.00 (Applicant claims small entity status.)

■ Is enclosed.

□ Please charge Deposit Account No. 50-1442 (an additional copy of this Notice is enclosed).

■ Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 50-1442. A duplicate copy of this Notice is enclosed.

■ If this Notice is not considered timely by the U.S. Patent and Trademark Office, then a request is hereby made under 37 C.F.R. 1.136, and any additional fees required for any necessary extension of time may be charged to Deposit Account No. 50-1442. A duplicate copy of this Notice is enclosed.

Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY U.S. LLP

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